

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

OLYMPIC TUG & BARGE, INC., et al.,

CASE NO. C22-1530JLR

## ORDER

## Plaintiffs / Counter- Defendants,

V.

**LOVEL BRIERE, LLC,**

## Defendant / Counter- Claimant.

Before the court is the parties' stipulated motion to extend the discovery and dispositive motions deadlines. (Stip. Mot. (Dkt. # 51).) The current deadline for completion of discovery is April 22, 2024, and the dispositive motions deadline is May 21, 2024. (*See* Sched. Order (Dkt. # 42).) The parties' trial date is August 19, 2024. (*Id.*) The parties ask the court to extend their discovery deadline to allow them to conduct the depositions of (1) Harley Franco, principal of Defendant / Counter-Claimant

1      Lovel Briere, LLC (“Lovel Briere”), on May 16, 2024, and (2) Mathew Godden, Chief  
2      Executive Officer of Plaintiffs’ parent company, on May 17, 2024. (Stip. Mot. at 1.)  
3      They also ask to extend the dispositive motions deadline to May 24, 2024. (*Id.*) The  
4      parties represent that scheduling conflicts, including Lovel Briere’s attorney’s need to  
5      care for his seriously ill spouse, have made it difficult to schedule the depositions before  
6      the discovery cut-off. (*Id.* at 1-2.)

7                  The court grants the parties’ stipulated motion but will not extend the noting date  
8      for the dispositive motions. The court issues scheduling orders setting trial dates and  
9      related dates to provide a reasonable schedule for the resolution of disputes. (*See Sched.*  
10     *Order.*) First, the court generally sets the discovery cut-off 30 days prior to the deadline  
11     for filing dispositive motions to ensure that the court has before it a complete record  
12     when it considers a motion that could potentially dispose of the case. (*See id.*) Second,  
13     the schedule generally provides 90 days between the deadline for filing dispositive  
14     motions and the trial date. (*See id.*) This 90-day period takes into account: (a) an  
15     approximate 30-day lag between the date a party files a motion and the date that motion  
16     becomes ripe for the court’s consideration, *see Local Rules W.D. Wash. LCR 7(d)(3);*  
17     and (b) an additional 30 days during which the court endeavors to rule on the motion, *see*  
18     *id. LCR 7(b)(5).* Any reduction in the period between the noting date and trial risks  
19     leaving the parties inadequate time to consider the court’s rulings and plan for trial or an  
20     alternative resolution.

21                  Thus, the court (1) GRANTS the parties’ stipulated motion (Dkt. # 51);  
22                  (2) EXTENDS the discovery deadline to **May 17, 2024**, for the limited purpose of

1 completing the depositions of Mr. Franco and Mr. Godden; (3) EXTENDS the deadline  
2 to file dispositive motions to **May 24, 2024**; and (4) ORDERS the parties to file, by no  
3 later than **April 29, 2024**, a stipulated motion proposing a briefing schedule for their  
4 dispositive motions that accommodates the original **June 14, 2024** noting date.

5 Dated this 23rd day of April, 2024.



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7 JAMES L. ROBART  
8 United States District Judge  
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